



Executive
23rd August 2006

**Report from the Director of
Environment and Culture**

For Action

Wards Affected:
Queens Park, Kilburn

Queens Park Station Revision of Planning Brief

Forward Plan Ref: ES-06/07- 005

1.0 Summary

- 1.1 The Queens Park Station Planning Brief was approved by the council in July 2003. It is clear following a withdrawn application for a tower proposal and advice from architectural advisers that there are better ways to develop the site to achieve the council's overall objectives and this could be contained in a new planning brief. It is proposed that members withdraw the current planning brief and instruct officers to prepare a new planning brief based on the principles set out in this report that reflect best architectural and other advice and meet latest guidance on sustainability.

2.0 Recommendations

- 2.1 That the Executive agree to withdraw the Planning Brief for the Queens Park Station Car Park site; and
- 2.2 Instruct officers to prepare a new Planning Brief (as a Supplementary Planning Document) based on the principles set out in paragraphs 3.5 and 3.6 of this report and the diagrams set out as appendix 1., following the timetable as set out in appendix 2 of this report; and
- 2.3 Agree that the Local Development Scheme (LDS) be amended to reflect the SPD production timetable, and

- 2.4 Instruct officers that any revised brief should not negatively impact on the financial viability of South Kilburn's regeneration programme in accordance with the Council's adopted South Kilburn SPD.

3.0 Detail

- 3.1 The council adopted the Queens Park Station Area Planning Brief in July 2003, as Supplementary Planning Guidance, following extensive consultation in the previous 6-8 months. Planning briefs set out more detailed planning guidance to be considered when developing sites. Planning briefs are produced for important development sites and/or where there is developer interest and/or the council wishes to achieve a number of objectives and a comprehensive development on a number of related sites.

Site Ownership

- 3.2 When 'the Site' is referred to in this report it means a collection of smaller sites measuring 0.6ha (see map 1 below) made up of the following: a short stay car park (for about 40 cars owned by the council), the Kenniston Press (printers owned by Genesis Housing Association), Premier House, (owned by London Underground and used as offices for train drivers), Cullen House (council owned block) and the Falcon Pub (owned by brewers Greene King). The buildings are in need of significant upgrading and improvement (although Premier House was re-fitted internally by London Underground recently). Cullen House and the Falcon Pub are located in the middle of the gyratory system around Kilburn Lane, Carlton Vale and Salusbury Road.

Salusbury Road Site – Ownership Map



- 3.3 Most people agree that the site is an eyesore and could be significantly improved through redevelopment. Many would argue that it is

important that such a prominent and visible gateway site should be redeveloped with very high quality development. There is an opportunity to create a better public transport solution and links between the train station and buses. The site is a key one in assisting the regeneration of South Kilburn. The question therefore is not whether the site should be developed but how it should be redeveloped.

Current Planning Brief

- 3.4 The July 2003 Planning Brief sets out a number of aims and objectives that are relevant today and should be retained in any new Planning Brief. However there have been a number of changed circumstances since the 2003 Planning Brief was written and any new brief needs to reflect those changes. A planning application for a tall tower block of 18 and 26 storeys was submitted to the council in May 2005 by Genesis Housing Group, although this was later withdrawn. This application and the subsequent work undertaken by architectural and other consultants (for the council) between March and July 2006 which considered the most appropriate form of development for the site. This work could be reflected in a revised planning brief. The work of reviewing how the site may be best developed has been undertaken by a Stakeholder Group comprising of council officers, local community representatives and the developers advised by architects appointed by the council. The work of the Stakeholder group has now concluded and a public meeting to discuss its findings will be arranged for September. It is intended that this meeting will set out the options for developing the site and secure early public comment to inform consultation on a revised Planning Brief later in the year.

What should be retained in any new brief

- 3.5 The development proposals set out in Appendix 1 would not be precluded by the current 2003 planning brief as it is not prescriptive on the issue of height and points generally to the need for a comprehensive scheme. The 2003 brief has a number of principles, aims and objectives that should be retained in any new planning brief and these are:

Any scheme should:-

- be a mixed use scheme with a significant element of residential use
- be mixed in tenure
- secure public transport and interchange improvements
- resolve and rationalise traffic impact and severance
- ensure new and replacement community facilities
- ensure that sites are better integrated and connected
- be of a very high quality design and sustainable
- Be safe and secure
- Have high quality landscape
- Be a bench mark for the borough in terms of design and quality.

What is different and should be inserted into a new brief

- 3.6 The main changes are set out below and are justified by changed circumstances and the new work undertaken by consultant architects who have considered in more detail the form any development on this site. This challenges some of the ideas set out in the 2003 Planning Brief. The main changes in any new Planning Brief are:-
- Building over the station is no longer considered practicable, achievable or viable and this area will be removed from the brief
 - Very High Buildings impact negatively on the surrounding neighbourhood and it will be made clear are no longer acceptable.
 - The development is limited in height to a level that brings forward regenerative development and must not undermine proposals for South Kilburn.
 - An acceptable layout for buses and how they interchange with the station has been agreed with Transport for London (TfL)
 - Station access improvements that are affordable from this development are now proposed
 - It is better to take traffic around the site rather than through it
 - More attention is given to off road servicing and parking.
 - Areas along Albert Road that are part of the NDC South Kilburn development are taken out of the brief
 - A courtyard form of development is considered optimal in terms of layout, linkages through the site, producing residential units and providing good shopping facilities and pleasant internal spaces.
 - Priority on the site is given to producing a sustainable high quality scheme that kick starts regeneration activity-urban design quality will be paramount.
 - The need to bring all these sites together comprehensively is underscored by the form of development needed to bring regenerative development
 - There should be greater emphasis on design quality
 - There should be greater emphasis on sustainability including reference to provision of renewables and higher Eco Homes ratings.

Justification for changes

- 3.7 Current London wide (the London Plan) and Unitary Development Plan (UDP) policy encourages higher density development in areas of very good public transport accessibility. Queens Park is an area of very high transport accessibility as measured by PTAL ratings. These are Public Transport Accessibility Levels and this site has a rating of 6, the highest rating which means that high densities and high buildings may be appropriate on the site. The 2003 Station car park Planning Brief accepted that this site had the potential for a landmark building of some scale (although no minimum or maximum building height was specified in the brief). The Supplementary Planning Document (SPD) on South

Kilburn set out guidance for the redevelopment of the whole of the New Deals For Communities (NDC) area, including the Queens Park car park sites. The SPD (adopted in April 2005) underscored the potential for high buildings by suggesting that development between 10 and 20 stories was appropriate. It was made clear however in the South Kilburn SPD that the height diagrams were purely indicative and needed further testing.

- 3.8 The testing as to the appropriateness of a very high building working on the site was forced by the application from Genesis Housing Group for a 26 storey tower on the Queens Park station car park and the adjoining Kenisten Press site. This demonstrated that a very high development on these particular sites was not appropriate and did not work well in practice. Further work was then undertaken by architectural advisors for the council. This has demonstrated that there are indeed much better ways of developing the site than very high buildings which could better achieve the planning objectives set out in the 2003 brief.
- 3.9 It is clear from an examination of the Genesis proposals that a significantly high tower has a number of negative impacts. The tower had a very negative impact on views in and out of the Queens Park Area and elsewhere in South Kilburn and Westminster. It is not just the design of the building: it is a question of appropriate scale. The high tower allowed the development of one part of the site but would have significant impacts on developing other parts (reducing their developability). It failed to produce improvements to the road layout to buses (TfL objected to the bus proposals) and it created a number of negative environmental effects around wind turbulence and some effects on daylight and sunlight on surrounding buildings. The buildings configuration did nothing to reduce the severance caused by the gyratory system and created little comfortable public space. Linkages between Queens Park station and Kilburn Lane were not improved.
- 3.10 The work carried out by the council's appointed architects Mukenbeck and Marshall has shown the significant benefits of a different form of development. This is considered to be a considerably better solution, and the 2003 Planning Brief could be re-written to reflect the form of development proposed by them, although, as pointed out, the 2003 brief would still accommodate this new form of development.
- 3.11 In summary the problem lies in proposing an extremely tall building on the Queens Park car park site because of its negative visual and environmental impact. The issue of density per se is not of concern because the Mukenbeck revised proposals could achieve a similarly appropriate density without the drawbacks of the Genesis scheme. It is also important to make clear that the site could still accommodate a building with a taller element within it. Furthermore this should not effect other proposed tall buildings generally on the South Kilburn development because the circumstances elsewhere are different and the scheme will not work without them.

New Proposals and their benefits

- 3.12 Mukenbeck and Marshall proposed a courtyard type development (see appendix 1) that enclosed the whole site, open only on its southerly aspect on Kilburn Lane to allow maximum penetration of daylight and sunlight. The development proposed is 4-5 storeys on the Claremont Road and Kilburn Lane side to reflect existing building heights, the upper stories being set back, rising either on the station corner or on the Carlton Vale/Kilburn Lane corner and stepping down to the 4-5 storey elements to the south and west. This form of development can create the maximum frontage for new retail development creating jobs and activity on the ground floor. The form of development allows re-provision of the London Underground offices/drivers depot (Premier House) and re-location of the British Legion from Albert Road. This is important in securing more development land for the redevelopment of South Kilburn. It also allows a new access into Queens Park Station and a bus layout that has the support of TfL.
- 3.13 TfL did not support the bus proposals on the Genesis scheme nor an option of moving the bus interchange next to the station because it involved too many route diversions to achieve it. It also would have had a negative effect on Claremont Road. In the TfL preferred layout, all bus stops are less than 150m from Queens Park Station and one bus, the 36 bus would be able to drop off passengers 20m from it. TfL are supportive of these proposals. The courtyard form of development will allow a high quality landscaped public open space to be created that allows pedestrians to walk through to the station. Pushing the traffic around the edge of the site rather than through it has significant benefits creating a calm and quieter public space.
- 3.14 A courtyard development form does not allow the development to rise so high, because high development all the way around a courtyard will feel oppressive, but a higher element on one of the 'corners' is possible. Comparing photo montages of the Genesis development with even a development containing a 12 storey element shows that it does not significantly impact on views in and out of the Queens Park area (appendix 3) and cannot be seen by and large in South Kilburn and Westminster except when very close up. It could not easily be seen in Queens Park appearing only above the roofline behind a screen of trees.
- 3.15 It is anticipated that, as in the tower scheme, the majority of the dwellings would be in the form of one and two bed apartments and the number of families over the whole scheme would be limited.
- 3.16 Although the development illustrated is much lower than the Genesis tower proposal, it is very space efficient and can produce a significant number of residential units that are needed to provide a viable development and assist in the wider regeneration of South Kilburn.

Indeed development of this site is vital to assist in the redevelopment of South Kilburn. Not bringing forward this site for redevelopment would fundamentally undermine the South Kilburn redevelopment project.

- 3.17 The viability analysis set out in Appendix 4 is based on assumptions about the price of units provided, the costs of providing the units, and the costs of acquiring land including both purchase of land and relocation of existing users. These assumptions are for illustrative purposes only and reflect current assessments of building costs and property prices. They show that on current estimates the viability of the scheme is marginal. They also show that there is:
- a £4-5m difference between the value in a low density development (mostly 4 storeys with an 8 storey element) and a medium density development (mostly 4 storeys but stepping up to 10 storeys); and
 - a £3-5m difference between the value of a medium density development and a higher density development (4 storeys stepping up to 12 storeys).

The viability analysis shows that in all probability, and at best, a development of between 200 and 270 units would be required to be financially viable. This analysis is at an early stage and costs and income assumptions may well change as more is known. Solutions should not be precluded solely on the basis that, on current assumptions, they may not be financially viable and it is recommended that the planning brief must take a flexible approach if beneficial development is to be achieved over the site.

Impacts of the Queens Park Development on South Kilburn

- 3.18 It is important to remember that any height limit on the car park site has knock on effects on the regeneration plans for South Kilburn. The reason for this is that the storey height on the Station car park site sets, in urban design terms, the general height of development in Albert Road. The effect of capping the development height on the car park site will in effect cap heights and therefore housing numbers on Albert Road, immediately to the east of the car park site. Any further loss of dwelling units on this part of the South Kilburn NDC area will seriously undermine the already challenging financial situation in respect of the South Kilburn redevelopment. This is because it would reduce the numbers of private flats that could be built on Albert Road that are required to cross subsidise the rebuilding of the affordable housing stock on South Kilburn. If the Queens Park development is significantly lowered then, unless those units can be replaced elsewhere in South Kilburn (a difficult prospect) the impact could severely undermine the viability of the South Kilburn redevelopment scheme. In this context, Members should note that the proposals set out in the South Kilburn SPD command significant public support.

Next Steps to produce an SPD

- 3.19 If members are minded to withdraw the current planning brief, it is recommended that a new brief is drawn up so that there is clarity concerning the council's expectations of the site and its development. Any new Planning Brief, in order for it to have the most weight in determining planning applications, must go through the new statutory processes set out in Planning Policy Statement 12 (PPS12) on Local Development Frameworks. Any new planning brief would be adopted by the council as a Supplementary Planning Document or SPD and could only be so adopted after a period of statutory consultation with the local community (that follows process set out in the council's Statement of Community Involvement or SCI) and production of a Sustainability Appraisal. These requirements have significantly lengthened the production process. If the council started the process, if agreed by this Executive, then the new brief could be adopted at Executive in February 2007 at the earliest. The proposed timetable is set out in appendix 2.
- 3.20 Reference is made to the heights of buildings in the South Kilburn SPD adopted in April 2005 and these are in excess of what is proposed as a maximum now. It is not proposed to amend this document however as the heights diagrams were illustrative and do not constitute policy. Moreover any amendment to the South Kilburn SPD would undermine the redevelopment and regeneration proposals coming forward for the south Kilburn area. Any Planning Brief on the Queens Park Car Park sites adopted as SPD would provide more up-to-date guidance and supersede the earlier SPD. Members may wish to issue an informal planning statement that clarifies the council's intentions in the period until the new Queens Park station car park SPD is adopted in 2007. This would not have as much weight as a SPD but would offer clarity to developers of the site of the council's intent. This planning statement could be put to the September Executive if members so wish.

4.0 Financial Implications

- 4.1 The Council plans to dispose of Cullen House land as part of its contribution to the South Kilburn redevelopment. The Council also owns the land used as the station short stay car park and the highway.
- 4.2 The size of the capital receipt the Council would receive for its land is affected by the development potential allowed in the planning brief. The impact of change in value of the capital receipt would be as follows:
- In relation to Cullen House, any change to the capital receipt would impact on the funds available to ensure delivery of the South Kilburn Development. Any reduction in the receipt would increase the funding gap for the South Kilburn Development;
 - In relation to the car park and highway, any change to the capital receipt would impact on funds available to fund the Council's

capital programme. The Council has a target for capital receipts this year of £3m (excluding right-to-buy sales) and £10m over the next 3 years. £750k of this relates to disposal of the car park and road. It should be noted however that this is based on a valuation of the car park carried out some time ago and assumes the current planning brief.

- 4.3 Changes to the planning brief for the Queens Park station site could also have an impact on the number of units permitted on Albert Road. This could seriously undermine the viability of the South Kilburn Development.
- 4.4 Reductions in the receipts available to fund the capital programme and increases in the funding gap for the South Kilburn Development would have implications for funding of other schemes included in the Council's capital programme.
- 4.5 It should be made clear that the Planning Brief must be considered on its planning merits and the Council's position as land owner should not influence any decision made on planning grounds.

5.0 Legal Implications

- 5.1 Supplementary Planning Guidance, if it has been the subject of public consultation and has been formally adopted by the Council, will carry considerable weight in determining planning applications. It is though open to the Council to withdraw SPG which has previously been adopted and obviously it would not then be taken into account.
- 5.2 Any new supplementary guidance on this site would need to take the form of a Supplementary Planning Document (since SPDs replace SPG under the new planning regime introduced by the Planning and Compulsory Purchase Act 2003). It would need to be consistent with relevant policies in the UDP (or in Development Plan Documents if these had been adopted by then) and go through a similar process of public consultation and formal adoption by the Executive under regulations made pursuant to the 2003 Act. If this process is undertaken it will then carry considerable weight in the determination of planning applications, as SPG did under the old system.

6.0 Diversity Implications

- 6.1 Any revised brief is intended to bring forward development to assist the regeneration of South Kilburn which has a higher than average proportion of black and ethnic minority populations that suffer economic disadvantage and social exclusion.

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 None

8.0 Environmental Implications

- 8.1 This report is concerned with guidance that brings forward sustainable development using quality design, regenerating the local area but minimising environmental and other impacts to an acceptable level.

Background Papers

PPS12 Local Development Frameworks

South Kilburn SPD, April 2005

Station Car Park Planning Brief July 2003

Meeting notes and diagrams from Stakeholders Group, 2006 (currently on Council Website)

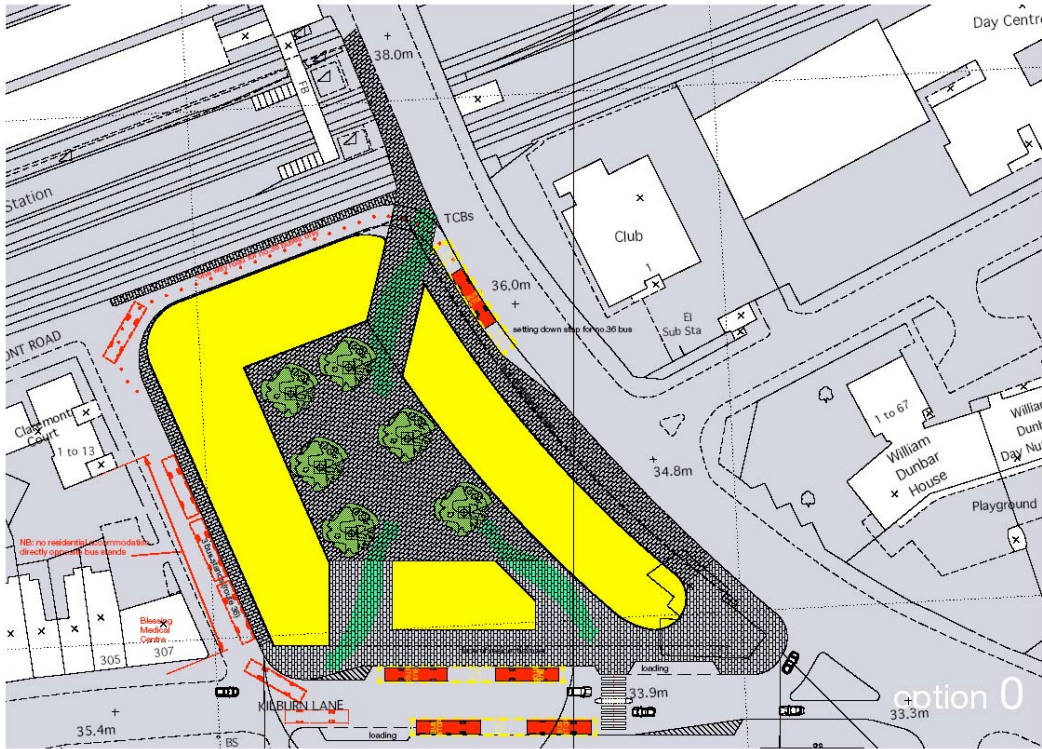
Contact Officers

Any person wishing to inspect the above papers should contact (Dave Carroll, Planning Service 020 8937 5202 or email dave.carroll@brent.gov.uk)

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Director of Environment and Culture

APPENDIX 1-PROPOSED BUILDING LAYOUT AND HEIGHTS OPTION DIAGRAM



.....Continued overleaf

1



Concept View From Bridge

2



4/5 Storey Perimeter Block
Maximum 8 Storey Corner Element

3



4/5 Storey Perimeter Block
Maximum 10 Storey Corner Element

4



4/5 Storey Perimeter Block
Maximum 12 Storey Corner Element

Queens Park Station : Concept Scales

**APPENDIX 2 TIMETABLE FOR PRODUCTION OF NEW SALUSBURY ROAD
CAR PARK SPD**

QUEENS PARK REVISED SPD TIMELINE

Task	Estimated Date
Make SEA Determination	05/05/2006
Evidence gathering baseline	05/06/2006
Identify issues and set objectives for SPD	19/06/2006
Establish SA Framework	20/06/2006
Identify options	21/06/2006
Prepare SA scoping report & consultation statement	17/07/2006
Consult scoping report (statutory bodies & others)	24/07/2006
Test options/SA workshop/Select preferred option	31/07/2006
Prepare initial SA report	07/08/2006
Start Draft SPD	14/08/2006
Finish Draft SPD	08/09/2006
Conduct SA of Draft of SPD	08/09/2006
Public update meeting	11/09/2006
Start drafting internal Committee Report for Decision	14/09/2006
Start internal consultation of report for approval to consult	18/09/2006
Kilburn & Kensal ACF meeting	19/09/2006
Planning Committee for Approval to consult on Draft SPD	05/10/2006
Issue press notice re: SPD	06/10/2006
Start to develop web pages ready for consultation/mail merges	06/10/2006
Start Consultation & equalities impact assessment	16/10/2006
End of consultation	27/11/2006
Start summary of responses	27/11/2006
Complete summary of responses	04/12/2006
Start revision of SPD in light of consultation & Equalities impact findings	04/12/2006
Start revision of SA in light of revisions to SPD	11/12/2006
Start drafting internal Committee Report for Decision	02/01/2007
Start internal consultation of Final Report	08/01/2007
Planning Committee for Comment	31/01/2007
Executive Committee for Approval	12/02/2007
Advise all Committee Decision	13/02/2007
Complete SA Statement & put on web	19/02/2007
Desk top publishing process	13/02/2007

Complete desk top publishing process

19/02/2007

Arrange publication & distribute to all

28/02/2007

Estimated End of Project

28/02/2007

APPENDIX 3 EFFECT OF 8-12 STOREY DEVELOPMENT ON VIEWS ON
SALUSBURY ROAD

1

4/5 Storey Perimeter Block
Maximum 8 Storey Corner Element



2

4/5 Storey Perimeter Block
Maximum 10 Storey Corner Element



3

4/5 Storey Perimeter Block
Maximum 12 Storey Corner Element



Queens Park Station : Salusbury Road

Appendix 4 Viability Analysis of Development Proposals on Queens Park Car Park

This viability analysis is based on assumptions about the price of units provided, the costs of providing the units, and the costs of acquiring land including both purchase of land and relocation of existing users. These assumptions are for illustrative purposes only and reflect current assessments of building costs and property prices.

It is based on three different scenarios:

1. Baseline assumptions
2. Optimistic assumptions where sale prices are higher than baseline, costs are lowered and affordable housing is reduced to a minimum-30% as opposed to 50% in baseline
3. Assumptions are as 2 but all costs of a quality scheme including sustainability are stripped out.

Under each of the 3 scenarios, a development of 130, 200 and 270 dwellings are modelled. This equates to a low development (mostly 4 storeys with an 8 storey element), a mid density development of 200 units (mostly 4 storeys but stepping up to 10 storeys) and a higher density development of 270 units (4 storeys stepping up to 12 storeys). These three scenarios are modelled in appendix 1.

Under our baseline set of assumptions with 50% affordable none of the schemes building 130, 200 or 270 units are viable and all make a loss.

Queens Park calculation 1- Baseline

Total number of units	130.00	200.00	270.00
Average size in sf	750.00	750.00	750.00
	value £		
Total value	46,381,250	67,600,000	88,018,750
Total Costs	48,579,500	65,927,250	83,275,000
Land Acquisition costs	8,000,000	8,000,000	8,000,000
Surplus (or loss)	-10,198,250	-6,327,250	-3,256,250

Assuming slightly more Housing Corporation grant, 30% affordable housing units, higher house prices, and trimming of some costs, then only the larger 270 unit scheme is viable.

Queens Park calculation 2-Optimistic

Total number of units	130.00	200.00	270.00
Average size in sf	750.00	750.00	750.00
	value £		
Total value	49,011,250	70,300,000	91,588,750
Total Costs	47,149,156	63,971,250	80,793,344
Land Acquisition costs	8,000,000	8,000,000	8,000,000
Surplus (or loss)	-6,137,906	-1,671,250	2,795,406

On the assumptions used in this viability assessment, the 200 unit development only becomes viable if the second station entrance, eco-homes and renewables costs are taken out. Such changes are likely to be rejected if the planning decision were called in by the Mayor of London, as is likely. The 130 unit development remains unviable.

Queens Park calculation 3 - Cost Reduction

Total number of units	130.00	200.00	270.00
Average size in sf	750.00	750.00	750.00
	value £		
Total value	47,811,250	69,100,000	90,388,750
Total Costs	43,609,156	60,221,250	76,833,344
Land Acquisition costs	8,000,000	8,000,000	8,000,000
Surplus (or loss)	-3,797,906	878,750	5,555,406